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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GARY LA BARBERA, et al.,

Plaintiffs,

-against-

ESL HOME REMODELING INC.,

Defendant.

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06-CV-1372 (ARR)(CLP)

NOT FOR ELECTRONIC

OR PRINT

PUBLICATION

OPINION AND ORDER

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated February 7, 2007, from the Honorable Cheryl L. Pollak, United States Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, the court hereby adopts the Report and Recommendation, in its entirety, as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, the court enters a default judgment against ESL Home Remodeling Inc. The court orders that plaintiffs be awarded \$2,646.74 in delinquent contributions, \$205.13 in interest on the delinquent contributions, \$529.34 in liquidated damages, \$2,877.02 in attorneys' fees and \$362.17 in costs. The court further orders that plaintiffs' request for a permanent injunction is denied. The Clerk of the Court is directed to enter judgment accordingly.

SO ORDERED.

Allyne R. Ross
United States District Judge

Dated: February 28, 2007
Brooklyn, New York

SERVICE LIST:

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Defendant:

ESL Home Remodeling Inc.
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cc: Magistrate Judge Pollak